



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ENVIRONMENTAL
CLEANUP

June 11, 2014

Mr. Bob Wyatt
Chairman, Lower Willamette Group
c/o Northwest Natural
220 Northwest Second Avenue
Portland, Oregon 97209

Re: Portland Harbor Superfund Site, Administrative Order on Consent for Remedial Investigation and Feasibility Study; Docket No. CERCLA-10-2001-0240
Comments on the Remedial Investigation Report (Section 5) dated August 29, 2011

Dear Mr. Wyatt;

EPA and its partners have reviewed the revised draft Remedial Investigation Report submitted to EPA on August 29, 2011. We are sending you the enclosed comments on Section 5 of the revised draft RI report using the process identified to you during our meeting on November 20, 2012 and at the LWG senior managers meeting November 29, 2012. EPA appreciates the vast amount of work and effort the LWG has put into this report. However, the document cannot be approved as received because portions of the document lacked clarity in defining the procedures conducted, summarizing the findings, and/or lacked information consistent with the EPA's RI/FS guidance and the contaminated sediment guidance. As we discussed, EPA will be providing the LWG in the coming months with modified text for each section of the report along with additional comments for other corrections EPA deems necessary to complete the document.

Per the process we outlined, the LWG has 30 days to review and provide comments on each section. Thus, the LWG will have until July 11, 2014, to review and provide EPA comments on Sections 5. If the LWG has any questions or clarifications that are needed regarding EPA's comments, we would be happy to discuss them with you at any time.

Once the LWG has provided its comments to EPA, a meeting to discuss those comments will be set if EPA disagrees with any of the LWGs comments. If EPA and LWG project managers cannot come to agreement on resolution of the comments, the issues will be elevated to the senior managers for resolution. As has been discussed, under the phased comment approach, the formal dispute process time frame under the AOC will not apply on EPA's comments provided on individual sections, but rather will apply when all sections have been reviewed by LWG and comments discussed with EPA and there are still unresolved issues. We expect that the LWG will be incorporating our modified text and making other changes to the RI as we provide our

comments. Once modified text and comments on all sections of the RI have been provided and the enhanced informal dispute process is completed, the EPA will provide a deadline of no less than 30 days to the LWG for producing a draft final RI Report that incorporates all of EPA's changes and comments.

EPA is providing the comments on Section 5 in redline format. Note that some of the references to tables, maps and figures are new or have changed. Several example tables are provided for new tables to help indicate the information and format for these tables. We are also providing a matrix that provides a cross-walk between the 2012 Draft RI and the modifications to Section 5 (enclosed).

We appreciate your willingness to work with us to complete this report and move forward to clean up of the Portland Harbor Superfund site. We are implementing our proposed process for review of the RI deliverables to keep the project moving, however, we understand the senior managers are still discussing this proposal and it may be modified.

If you have any questions regarding this letter, please contact Kristine Koch at (206) 553-6705, or koch.kristine@epa.gov. All legal inquiries should be directed to Lori Cora at (206) 553-1115, or cora.lori@epa.gov.

Sincerely,

Kristine Koch
Remedial Project Manager

encl. (sent via email)

cc: Mr. Tom Gainer
Oregon Department of Environmental Quality

Mr. Rob Neely
National Oceanic and Atmospheric Administration

Mr. Ted Buerger
U.S. Fish and Wildlife Service
Mr. Brian Cunninghame
Confederated Tribes of the Warm Springs Reservation of Oregon

Ms. Rose Longoria
Confederated Tribes and Bands of the Yakama Nation

Mr. Michael Karnosh
Confederated Tribes of the Grand Ronde Community of Oregon

Mr. Tom Downey
Confederated Tribes of the Siletz Indians

Mr. Audie Huber
Confederated Tribes of the Umatilla Indian Reservation

Ms. Erin Madden
Nez Perce Tribe

Mr. Greg Ulirsch
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Mr. Todd Hudson
Oregon Health Authority

Mr. Rick Keppler
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